At Mercy of Chesapenke and Ohio. At Mercy of Chesapeake and Ohio. It was again emphasized that connecting roads were at the mercy of the Chesapeake and Ohio because they had to accept as genuine the three months' basis just as they had accepted as genuine the false waybills on the Johnston and Forbes shipments. This phase of the inquiry was developed in detail, the revelations being rather astonishing to the large crowd of business men in the court room, but not to the commissioner, who, it now appears, has had knowledge of these transactions for several months.

"Apparently," said Mr. Marble, "the deception to which Mr. Gilbert was subjected by Mr. Gates through a series of years was so complete that even

mediately after the opening of the marning session.

Mr. H. T. Wickham, general counsel for the Chesapeake and Ohio, stated that the company's records had been destroyed by Mr. Enslow, with the approval of Comptroller Sullivan, and without the knowledge of other of-ficials. When Mr. Wickham had con-cluded the reading of Mr. Sullyan's letter, he announced that the comp-troller was present and would be glad to answer any question.

## Falled to Change Billing.

With Our Little Axe We Did It!

> All Boys' and Children's Sweaters go on sale to-day at HALF PRICES and less!

> > \$2 and \$1.50 Sweaters at 98c \$1 and 75c Sweaters at - 48c

Sizes, 1 year up.

## O. H. BERRY & COMPANY.

## About Rates and Rebates.

mond, Fredericksburg and Potomac. Mr. Wickham examined no witnesses. Much important evidence was the inspected the exhibits, however, and cured when E. M. Gregory, correspondent of the control of the c

Agent of the Seaboard Air Line, reteived a summons from the commission and came willingly.

He corroborated that part of the
Gates evidence which related to the
desperate struggle to straighten the
false billing after the arrival here of
Special Agent Johnson, adding that he
refused to call in the old bills and issue
new ones. Commissioner Lane inquired if Mr. Capps and Mr. Perrin
were in the city, intimating that they
might be summoned if within reach.
Many witnesses were recalled, some
exhibits were filed, and the few scattering threads were collected.

By agreement between Mr. Wickham
and Mr. Marble the records and exhibits were filed with the clerk of the
United States District Court, readily accessible to counsel for the company
and the government. The completo
the proved that the summoned training that they
and the government. The completo
the desire of the government to
tappear as a prosecutor, mainly bent
tupon sending somebody to prison, but
to correct shipping evils, that all shipters may have a square deal. Unless
to an be proved that Mr. Hotchkis's
to the desire of the government to
tappear as a prosecutor, mainly bent
tupon sending somebody to prison, but
to correct shipping evils, that all shipters may have a square deal. Unless
to an be proved that Mr. Hotchkis's
had knowledge of the false billing he
can be proved that Mr. Hotchkis's
had knowledge of the false billing he
can hardly be indicted. The same is
true of W. R. Johnston and members
of the firm of W. S. Forbes & Co.

The false division might conclude,
"This hearing will now stand adjourned," said Commissioner Lane, and
the excitement, for the time being,
was over,

Company's Defense Not Outlined,
No injunction has been given as to

that there were other irregularities?
The responsibility rests with you, and
I would suggest that you check back
for several years."
The Atlantic Coast Line wrote for a
corrected billing.
Commissioner Lane was interested. HEARING IS CONCLUDED

He had the Gilbert letter read again. He could not understand the admis-sion of faise billing for three months, when it had continued for three or four

by Complicing California to Security of the Complete Sulfivant Referring to Description of Records of Scand Again.

Temporary of the Complete Sulfivant Records of Scand Again.

Temporary of the Complete Sulfivant Records of Scand Again.

The Complete Sulfivant Records o

for the books. There were no other overtures for settlement from the

Chesapeake and Ohio.

"Colonel," said Commissioner Lane,
"did Mr. Gates tell you it was up to
him to make this settlement?"

"He said he was technically wrong,

that the cars were purely local "The full facts were not at that time

revealed to you?"
"No, sir."
"When dld you learn the extent of this practice?"
"We don't know now but that i

# FATAL BLOW TO **BLACKSTONE AT**

eral Assembly shall not thereon," Section 54, providing for the impeachment of State officials, reads thus;

"The Governor, Lieutenant-Governor,

Attorney-General, judges, members of the State Corporation Commission, and executive officers at the seat of government, and all officers appointed by the Governor or elected by the General Assembly, offending against the State by malfeasance in office, corruption, neglect of duty or other high crime or gir

much money his company would have to refer the fire years of the control of the committee o

## Morning Session

J. G. Griffin, of Elizabeth City county, was the first witness at the morning session. He swore that he saw Judge Blackstone in an apparently intoxicated condition in Hampton during the July term of his court in 1908. He saw him again in the same condition between Hampton and Phoebus sometime last summer.

time last summer.

The witness was cross-examined by Mr. Coller, and his memory was somewhat uncertain as to dates.

"We don't know now but that it ran through a period of years. It will take time to check up."

Mr. Phinney said that he was told of the discovery of false billing. He declined, however, to change the records, as the cars had gone forward. He was notified of nine errors.

Said Gilbert Dida't Accuse Him.

Mr. Gates was recalled at the afternoon session. He said that he went to Colonel Boykin and asked to make a settlement on nine cars, offering to pay the local rate to the Southern roads, and requesting that the through billing be changed to a local billing.

"Why did you do that?" Mr. Marbis asked.

"I was requested to do so by Mr.
Glibert. I had agreed to settle the

External Remedy for Eczemia Sufferers
Greatly Simplifies the Treatment.

If you are suffering from any burning, itching skin disease, the only way to cure it is to go right after the real trouble—to cure the skin itself.

Thousands of patients have suffered for months in vain attempts to doctor their blood, when the whole trouble was bacilli feeding upon the skin and causing the unsightly blotches and sores.

Bkin specialists now prescribe a simple liquid wash, easy to apply, which gives instant relief. This remedy is composed of oil of wintergreen, to which are added healing vegetable removed the provided wash added healing vegetable removed the trouble with the provided was made complete, so as to show how many writs of error had been dended that this evidence was immaterial and a recess was taken until 4 o'clock P. M.

Summoning Witnesses.

Sergeaut-at-Arms P. E. Lipscomb, of witnesses for the causing the unsignity botters as sores.

Skin specialists now prescribe a simple liquid wash, easy to apply, which gives instant relief. This remedy is composed of oil of wintergreen, to which are added healing vegetable remedies. Oil of wintergreen alone will not cure, but a coterie of experts in Chicago, headed by a noted specialist, experimented with other medicinal properties until they found the proper preparation. The result of their efforts is called D. D. D. Prescription, a sure specific for the cure of skin discusses.

sure specific for the cure of skin discases.

Here is only one instance of what D. B. J. D. D. Prescription has done: "My little girl's head was a running sore. D. D. D. Prescription has cured her sound and well."—B. L. Hipp, Phil Campbell, Ala.

If you are suffering from any skin disease, would it not pay you to try one bottle of D. D. D. Prescription? You probably have spent many times the cost of one bottle vainly trying to stop that awful, burning itch. Owten & Minor Drug Company. Call at our store for a free booklet on the care T. and nutrition of the skin, with suggestions as to the use of D. D. D. Soap. This valuable booklet is absolutely free.

ment by Judge Blackstone.

Indications are that there will be but one session of the committee to-day. It will begin at 10 o'clock and end at 2 P. M.

Mayor L. P. Furness, of Phoebus, was on the stand for some time, and his testimony was largely in the nature of that given by Mr. Tennis, though it was perhaps more sensations.

These witnesses were testing to Judge Blackstone's general reputa-tion in Phoebus for morality and so-briety, and they contended that it was not what it should be. In fact in a word, they declared that his conduct not what it should be. In fact, in a word, they declared that his conduct was as bad in Phoebus as, according to previous testimony, it had been in Hampton and Newport News, if not worse. Hampton and Newport News witnesses had spoken more particularly with reference to sorriety; those from Phoebus had reference to general reputation concerning the judge's moral life, in other directions, and they were

It is good and some say it is bad."

Mr. W. H. Richardson, of Elizabeth
City, declared he saw Judge Blackstone on the streets of Phoebus under
Le Grande Donohoe, former member of
the House of Delegates from Phoebus,
was called. He is a druggist. Mr.
Donohoe testified that the general reputation of Judge Blackstone in Phoebus for morality and sobriety was considered not good.

No Malice of Politics.

Thought He Was Drunk.

Mr. Ashby now put on the stand Mr.
Fay S. Collier, who is one of Judge
Blackstone's attorneys, and who was
counsel in the Pavalinic and Sheets
cases, in both of which it has been
the bench. In speaking of the Pavalinic trial, he declared it had been a
long and tedious one, and that the
judge had been asleep for a short time.
Witness had thought he was drunk
at first, and had said so in the pres-

bus for morality and sobriety was considered not good.

No Malice or Politics.

Mr. J. W. Rowe, president of the First National Bank, wholesale grocer in Phoebus and a signer of the petition, said, in answer to a question by Mr. Lewis, that so far as he knew, there was no malice or politics behind the petition. He was sure he felt no animosity toward the accused judge.

Captain J. C. Robertson, of Hampton, swore that in an injunction proceeding to which witness was one of the parties, Judge Blackstone said: "I haven't time to be bothering with your injunction. You should go to some other judge." Witness thought the judge was under the influence of liquor.

Cross-examined by Mr. Ashby, witness was under the impression that the judge was not at the time reading his record with the cierk, and that he did not give this as a reason for not taking the injunction matter up.

To the surprise of almost every one in the round, Mr. Lewis arose at 1 o'clock and announced that the petitioners would now rest the case, and that but for rebuttal testimony and possibly a few more direct witnesses their evidence was all in.

Record in Supreme Court.

The committee heard Mr. Lewis brief-

Summoning Witnesses.

Sergeant-at-Arms P. E. Lipscomb, of
the committee, left yesterday to summon the following witnesses for the
defense: Dr. J. W. Hope, L. W. W. Brock-S. J. Dudley, ingbrough.

L. W. W. Brockingbrough,
G. R. Nottingham,
R. M. Nottingham,
Samuel A. James,
of Eastville;
John T. Daniel,
of Cape Charles;
J. E. Nottingham,
Jr., Franktown;
F. T. Wilkins,
of Cape Charles;
Hon. S. S. Wilkins,
of Bird's Nest: E. E. Montague, H. H., Holt, F. F. Causey, of Hampton; W. H. Power, of Phoebus;

Lee B. Kellam, of Accomac; Newport News; Otho Mears, E. J. Spady, Thos. B. Robertson,

W. T. Moss, Philip Willcox,

## Afternoon Session

At the opening of the afternoon acssion Judge Blackstone commenced the
introduction of his testimony, and Sergeant E. W. Milstead, of Newport
News, was his first witness. He said
as City Sergeant he attended regularly
the terms of the accused judge's court,
and the business was dispatched
promptly and intelligently at all times.
The witness combated former testimony which was to the effect that Judge
Blackstone had not been in good mental condition in a recent damage suit
proceeding in his court, and declared
that he had never seen the judge grasp
the intricate problems before him more
quickly or dispose of them more inthe intricate problems before him more quickly or dispose of them more in-telligently. He had never seen the judge intoxicated upon the bench, though he had seen him preside when he had taken a drink.

For Judge Blackstone.

For Judge Blackstone.

Sergeant Milstead was cross-examined by Mr. Lewis, and he declared he had never heard Judge Blackstone's reputation for morality and sobriety discussed. The witness made a good impression for Judge Blackstone.

Mr. T. J. Christian, Jr., a Newport News lawyer, was next sworn.

"You know Judge Blackstone, do you?" Mr. Ashby asked.

"Very well."

"How is the business of his court conducted?"

"With intelligence and dispatch."

conducted?"
"With intelligence and dispatch."
"Does he seem to grasp problems
before him comprehensively?"
"Yes, sir."
On cross-examination witness admit-

On cross-examination witness admitted that he had had but few cases in Judge Blackstone's court within the past few years.

Attorney J. Harry Rew, of Accounac, testified that Judge Blackstone conducts the business of his court expeditiously and that he had never seen him drunk on the bench.

Upon cross-examination Mr. Rew said that the docket of the court was pretty full at present, but that he thought this was due to the great business of a large and progressive county.

ness of a large and progressive county. Judge Brown Testifies.

from Phosbus had reference to general reputation concerning the judge's moral life in other directions, and they were specific as to many particular instances of alleged moral delinquencies.

Much interest Shows.

A long wrangle took place over the admissibility of cortain questions asked Mayor Furness, and before he was excused the committee, at 11:20 c'clock, took a recess until 12:30 PM (in order levels a gripking man).

excused the committee, at 11:20 o'clock, took a recess until 12:30 P. M., in order to allow the members to vote upon certain bills in the House.

The air was fairly charged with interest, if not excitement, when the recess was taken, and little groups of men gathered in nooks and corners about the Capliol and discussed the sensational features of the opening session of the day concerning the alleged conduct of the accused jurist in the last time the judge was in a hos-"Not so as to prevent him from attending to business," replied the sheriff, "Have you ever seen him intoxicated Why He Uses Press Clippings

Why He Uses Press Clippings

"Did you ever stop to consider," said New York business man recently to friend, "how many persons subscribe or press clippings (Implicated Williams of Press Clippings). Town Segment Williams of Press. vestigation started than in all the time before.

time before.

Mr. Lewis sharply cross-examined the witness, and they indulged in some rather warm passages.

Mr. Smith positively denied that he had ever advised Judga Blackstone to resign, and in discussing his moral habits, he declared that he thought Judge Blackstone had held himself pretty well. He was not a teetotaler, and, like other drinking men, he was liable to take a little too much sometimes.

times.
Thought He Was Drunk.

LUMBER

Sash, Blinds, Doors, Mouldings, Large Stock, Low Prices, WOODWARD & SON, Richmend, Va.

subjected by Air. Gates through a series of years was so complete that even after it had been disclosed to him he took it as applying to only a period of three months."

The crowd smiled.

treller was present and would be glad to answer any question.
"I don't think it will be necessary to put Mr. Sullivan on the stand," said Commissioner Lane.
Mr. Sullivan smiled. He picked up his hat and his package of papers and walked out. He was not refreshed by an immunity bath. He declared in his letter that he was not advised until January 11th last by the Interstate Commerce Commission regarding the importance of preserving the records.

Falled to Change Billing.

No intimation has been given as to he possible line of defense by the hesapeake and Ohio Raliway. hroughout the hearing Mr. Wickham that a war count, it has a war count. apeake and Ohio Railway would not permit this, for the reason that a man connot be convicted out of collowed the testimony with great is own mouth. If this construction of By him were Mr. Frank Taylor, rai solicitor of the company, and of the legal meshes.

Testimony of Witnesses in Detail and Text of Letter Filed by Comptroller Sullivan Referring to Destruction of Records-Gates on Stand Again.